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EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/31/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

5

# Office Action Summary

Application No.

09/772,548

Applicant(s)

AHMAD ET AL.

Examiner

Mohammad A Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

1. Claims 1-13 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claim 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Apte et al.(6269373) (hereinafter Apte).
4. As per independent claim 1, Apte discloses a method for setting transactional behavior (Col 7, lines 43-48) for a CORBA (col 1, lines 51-54) method, the method comprising:

a system remote (col 10, lines 4-6) from a client creating a transaction policy (col 10, lines 8-26) by translating a deployment descriptor (col 7, lines 33-37) file;

the client calling a CORBA method (col 9, lines 65-67), wherein the client resides on a system local to the client (col 10, lines 32-37), wherein the CORBA method resides on the system remote from the client (col 9, lines 30-32), and wherein the call comprises an IIOP (it is inherent because IIOP allows objects operating over heterogeneous IIOP-compliant ORBs to interact with each other, irrespective of the internal structure of the ORBs or of any vendor-specific mechanisms) message (col 10, lines 32-37) wherein the IIOP message includes a method name for the CORBA method called (col 10, lines 32-39);

an interceptor residing on the system remote from the client intercepting the IIOP message (col 8, lines 10-16);

the interceptor residing on the system remote from the client reading the method name from the IIOP message (col 8, lines 10-24);

the interceptor residing on the system remote from the client checking the transaction policy for the system remote from the client with respect to the method name (col 8, lines 10-24);

the interceptor residing on the system remote from the client either invoking the called CORBA method directly (col 8, lines 10-24) or first

completing a control object interpositioning process (it is inherent because the library interpositioning implementation of an interceptor can examine and modify a process's behavior at the granularity of library routines) and then invoking the called CORBA method where the choice is defined by the results of the check of the transaction policy with respect to the method name (col 12, lines 16-37).

5. As per independent claim 2, it is rejected for the similar reason as stated above.

6. As per claim 3, Apte discloses the transaction policy (col 10, lines 8-26) created on the system remote from the client is created during deployment (col 7, lines 48-54) of the system remote from the client (col 7, lines 39-43).

7. As per claim 4, Apte discloses the transaction policy (col 10, lines 8-26) created on the system remote from the client is created after receipt of the IIOP message (it is inherent because IIOP allows objects operating over heterogeneous IIOP-compliant ORBs to interact with each other, irrespective of the internal structure of the ORBs or of any vendor-specific mechanisms)

to facilitate run-time comparison of the method name with the deployment descriptor file (col 7, lines 30-37).

8. As per independent claim 5, Apte discloses a method for changing transactional behavior (col 7, lines 43-48) for a CORBA method resident on a server col 17, lines 30 -33); the method comprising:

defining transactional behavior for a CORBA (col 17, lines 30 -33) method resident on a server in a transaction policy implemented on the server (col 7 lines 30-31), wherein the transaction policy is translated from a deployment descriptor file during deployment of the server (col 7, lines 30-38), and wherein invocations of the CORBA method from client objects result in a defined transactional behavior based on the transaction policy (col 8, lines 10 23);

modifying the deployment descriptor file to change the transactional behavior for the CORBA method on the server (col 7, lines 55-65);

redeploying the server which implements a modified transaction policy translated from the modified deployment descriptor (col 7, lines 30 -37, deployment tool must be used for the redeployment) file wherein identical invocations from identical client objects (col 18, lines 44-52) result in a different defined transactional behavior (col 12, lines 24-34, it is inherent because that two similar objects can have different transactional behavior,

typecasting provides the mechanism to accomplish the task) for the CORBA method on the server based on the modified transaction policy (col 7, lines 39-54).

9. As per claim 6, Apte discloses the deployment descriptor (col 7, lines 33-37) file and the transaction policy translated (col 10, lines 8 – 26) from the deployment descriptor file define transactional behavior (col 7, lines 33-37) for more than one CORBA method resident on the server (col 10, lines 47-64).

10. As per claim 7, Apte discloses the deployment descriptor (col 7, lines 33-37) file and the transaction policy translated (col 10, lines 8 – 26) from the deployment descriptor file define transactional behavior (col 7, lines 33-37) for all CORBA methods resident on the server (col 10, lines 47-64).

11. As per claim 8, Apte discloses the deployment descriptor file (col 7, lines 33-37) is a text file (col 10, lines 19-26) and wherein the transaction policy is a table translated from the text file (col 10, lines 19-26, and col 16, lines 59-63, Database contains tables, it is implied that conversion from text-table or table-text file must have happened).

12. As per claim 9, Apte discloses wherein the deployment descriptor (col 7, lines 33-37) file is stored on the server (col 15, lines 17-27).

13. As per claim 10, Apte teaches the deployment descriptor file is stored (col 7, lines 33-37) in a location remote from the server (col 17, lines 11-17).

14. As per claim 11, Apte teaches the deployment descriptor file is translated by a plurality of servers to create the transaction policies for the plurality of servers (col 18, lines 29-52).

15. As per claim 12, Apte teaches a method for propagating transactional context for a CORBA transaction (col 1, lines 51-54), the method comprising:

a client calling a CORBA method (col 10, lines 32-37), wherein the client resides on a system local to the client (col 9, lines 30-32), wherein the CORBA method resides on a system remote from the client, wherein the call comprises an IIOP message having a service context (it is inherent because IIOP allows objects operating over heterogeneous IIOP-compliant ORBs to interact with each other, irrespective of the internal structure of the ORBs or of any vendor-specific mechanisms);

an interceptor intercepting the IIOP message (col 8, lines 10-16),  
wherein the interceptor resides on the system local to the client (col 8, lines 10-16);

the interceptor residing on the system local to the client inserting an object representing the transaction context on the service context of the IIOP message (Col 8, lines 10-38);

the interceptor residing on the system local to the client returning the IIOP message to its original path (col 10, line 39-42);

an interceptor residing on the system remote from the client intercepting the IIOP message (col 8, lines 10-16);

the interceptor residing on the system remote from the client extracting the object representing the transaction context from the service context of the IIOP message (col 8, lines 10-24).

16. As per claim 13, Apte discloses the interceptor residing (col 8, lines 10-16) on the system remote from the client completing a control object interpositioning (it is inherent because the library interpositioning implementation of an interceptor can examine and modify a process s behavior at the granularity of library routines) process between the object representing the transaction context and an OTS spanning (it is inherent because Object Transaction Service (OTS) is a CORBA component to build

distributed enterprise applications requiring transactional semantics) both the system local to the client and the system remote from the client and then invoking the called CORBA method (col 10, lines 1- 42).

### ***Response to Amendment***

17. Applicant's arguments filed 02/17/04 have been fully considered but they are not persuasive:

In response to applicant's argument " there is no mention of creating a transaction policy", the examiner respectfully disagrees. The Apte prior art teaches creating a transaction policy by utilizing deployment descriptor (e.g. col 7, lines 33-36 and lines 43-48), system remote from client (e.g. col 7, lines 39-67 and col 8, lines 1-10). Therefore, limitations are met by the reference.

In response to applicant's argument " Apte in Column 7 .... for creating a transaction policy", the examiner respectfully disagrees. The Apte prior art teaches creating a transaction policy by utilizing deployment descriptor (e.g. col 7, lines 33-36 and lines 43-48), system remote from client (e.g. col 7, lines 30-67 and col 8, lines 1-10). Therefore, limitations are met by the reference.

In response to applicant's argument "Apte in Column 8. for creating a transaction policy", the examiner respectfully disagrees. The Apte prior art teaches creating a transaction policy by utilizing deployment descriptor (e.g. col 7, lines 33-36 and lines 43-48), system remote from client (e.g. col 7, lines 30-67 and col 8, lines 1-10), checks the transaction policy with respect to method name (col 12, lines 17 -67, transaction is communication between client and server). Therefore, limitations are met by the reference.

In response to applicant's arguments, the recitation "method for propagating transactional context" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., modification of transactional behavior) are not recited in the rejected claim(s). Although the claims are interpreted in light

of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Conclusion***

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose

telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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